

VARNUM, RIDDERING, SCHMIDT & HOWLETT^{LLP}
ATTORNEYS AT LAW

BRIDGEWATER PLACE
POST OFFICE BOX 352 • GRAND RAPIDS, MICHIGAN 49501-0352
TELEPHONE 616 / 336-6000 • FAX 616 / 336-7000

MARK M. DAVIS
LICENSED TO PRACTICE IN MICHIGAN AND WISCONSIN

DIRECT DIAL 616 / 336-6733
E-MAIL mmdavis@vrsh.com

April 3, 1998

VIA HAND DELIVERY

Clerk of the Court
U.S. District Court
Western District of Michigan
Federal Building
110 Michigan Street, N.W.
Grand Rapids, Michigan 49503



Re: United States of America v. City of Albion, Michigan
Case No. 1:97-CV-1037

Dear Clerk:

Enclosed for filing in the above-referenced matter please find the original plus four copies of the Stipulation and Order For Extension of Time For City of Albion to Respond to Cooper and Corning's First Request to Admit, First Set of Interrogatories and Request For Production of Documents. Also enclosed is a Proof of Service showing service on all counsel of record. Please return time stamped copies to the messenger who delivers this package.

Very truly yours,

VARNUM, RIDDERING, SCHMIDT & HOWLETT^{LLP}

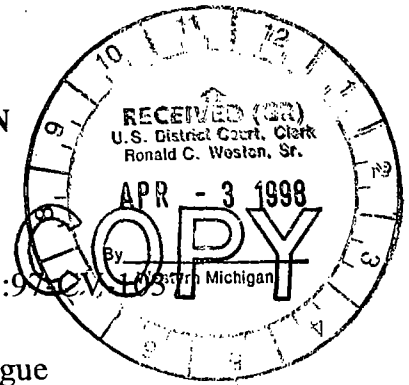
Mark M. Davis
Mark M. Davis

MMD:tas

Enclosures

cc: Francis J. Biros
W. Francesca Ferguson
Kathleen K. Schnieders
Eugene E. Smary
Alan Wasserman
Philip M. Moilanen

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN



UNITED STATES OF AMERICA,
Plaintiff,

v.

CITY OF ALBION, MICHIGAN,
Defendant/Third-Party
Plaintiff/Counter-Defendant

v.

COOPER INDUSTRIES, INC.,
and CORNING INCORPORATED,
Third-Party Defendants and
Third-Party Plaintiffs

v.

DECKER MANUFACTURING CORPORATION
Third-Party Defendant.

CIVIL ACTION NO. 1:92CV

Hon. David W. McKeague

**STIPULATION & ORDER FOR
EXTENSION OF TIME FOR CITY
OF ALBION TO RESPOND TO
COOPER AND CORNING'S FIRST
REQUEST TO ADMIT, FIRST
SET OF INTERROGATORIES AND
REQUEST FOR PRODUCTION OF
DOCUMENTS**

Francis J. Biros
Trial Attorney
Attorney for Plaintiff
Environmental Enforcement Section
Environment and Natural Resources Division
UNITED STATES DEPARTMENT
OF JUSTICE
P.O. Box 7611, Ben Franklin Station
Washington, D.C. 20044-7611
(202) 616-6552

Eugene E. Smary (P26811)
Melvin G. Moseley, Jr. (P44297)
Daniel K. DeWitt (P51756)
WARNER NORCROSS & JUDD
Attorneys for Third-Party Defendants and
Third-Party Plaintiffs, Cooper Industries, Inc.
and Corning Incorporated
900 Old Kent Building
Grand Rapids, Michigan 49503
(616) 752-2000

Charles M. Denton (P33269)
Mark M. Davis (P43529)
VARNUM, RIDDERING, SCHMIDT
& HOWLETT LLP
Attorneys for Defendant/Third-Party
Plaintiff/Counter-Defendant City of Albion
Bridgewater Place, P.O. Box 352
Grand Rapids, Michigan 49501-0352
(616) 336-6000

Alan D. Wasserman (P39509)
Michael L. Caldwell (P40554)
FINK ZAUSMER, P.C.
Attorneys for Third-Party Defendant
Decker Manufacturing Corporation
31700 Middlebelt Road, Suite 150
Farmington Hills, Michigan 48334
(248) 851-4111

Philip M. Moilanen (P17874)
BULLEN, MOILANEN, KLAASEN & SWAN, P.C.
Attorney for Third-Party Defendant
Decker Manufacturing Corporation
402 S. Brown Street
Jackson, Michigan 49203-1426
(517) 788-8500

STIPULATION AND ORDER FOR EXTENSION OF TIME
FOR CITY OF ALBION TO RESPOND TO COOPER AND CORNING'S
FIRST REQUEST TO ADMIT, FIRST SET OF INTERROGATORIES
AND REQUEST FOR PRODUCTION OF DOCUMENTS

Pursuant to the Federal Rules of Civil Procedure 6(b), the City of Albion has requested and counsel for Cooper and Corning have agreed to an extension of time through and including April 24, 1998, within which to respond to Cooper and Corning's First Request to Admit, and First Set of Interrogatories and Request for Production of Documents to the City of Albion. This Stipulation has been entered into prior to the expiration of time to file City of Albion's responsive pleading as permitted by law.

VARNUM, RIDDERING, SCHMIDT & HOWLETT LLP
Attorneys for Defendant/Third-Party Plaintiff/
Counter-Defendant City of Albion

Dated: April 3, 1998

By: 

Charles M. Denton (P33269)

Mark M. Davis (P43529)

Business Address and Telephone:

Bridgewater Place, P.O. Box 352

Grand Rapids, Michigan 49501-0352

(616) 336-6000

WARNER, NORCROSS, & JUDD
Attorneys for Defendant/Third-Party Defendants
and Third-Party Plaintiffs, Cooper Industries, Inc.
and Corning, Inc.

Dated: April 3, 1998

By: 

Eugene E. Smary (P26811)

Melvin G. Moseley, Jr. (P44297)

Business Address and Telephone:

900 Old Kent Building

Grand Rapids, Michigan 49503

(616) 752-2000

ORDER

At a session of said Court held in the Federal Building, City of Grand Rapids, County of Kent, State of Michigan, this _____ day of April, 1998.

PRESENT: HONORABLE DAVID W. MCKEAGUE
U. S. DISTRICT COURT JUDGE

IT IS SO ORDERED in accordance with the above Stipulation.

Hon. David W. McKeague
U.S. District Court Judge

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

CITY OF ALBION, MICHIGAN,

Defendant/Third-Party
Plaintiff/Counter-Defendant

v.

COOPER INDUSTRIES, INC.,
and CORNING INCORPORATED,

Third-Party Defendants and
Third-Party Plaintiffs

v.

DECKER MANUFACTURING CORPORATION

Third-Party Defendant.

CIVIL ACTION NO. 1:97-CV-1037

HON. David W. McKeague

PROOF OF SERVICE

STATE OF MICHIGAN)
) ss:
COUNTY OF KENT)

I, Theresa A. Symon, hereby certify that on the 3rd day of April, 1998, I served a copy of the **STIPULATION AND ORDER FOR EXTENSION OF TIME FOR CITY OF ALBION TO RESPOND TO COOPER AND CORNING'S FIRST REQUEST TO ADMIT, FIRST SET OF INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS** by regular mail, postage prepaid on the following parties-in-interest:

W. Francesca Ferguson
Assistant United States Attorney
Western District of Michigan
333 Ionia Avenue, N.W.
Suite 501
Grand Rapids, Michigan 49503

Kathleen K. Schnieders
Assistant Regional Counsel
U.S. Environmental Protection Agency
Region V
77 West Jackson Boulevard
Chicago, Illinois 60604

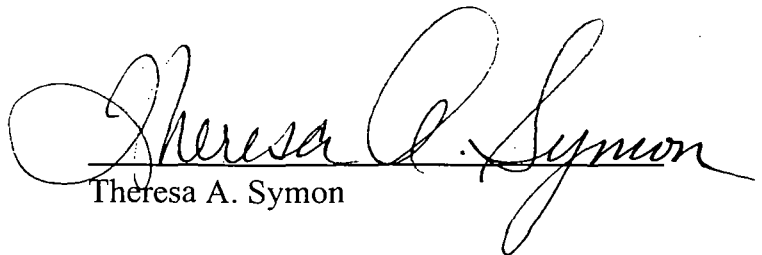
Francis J. Biros
Environmental Enforcement Section
Environment and Natural Resources Division
United States Department of Justice
P.O. Box 7611
Ben Franklin Station
Washington, D.C. 20044-7611

Alan D. Wasserman
Michael L. Caldwell
FINK ZAUSMER, P.C.
31700 Middlebelt Road, Suite 150
Farmington Hills, Michigan 48334

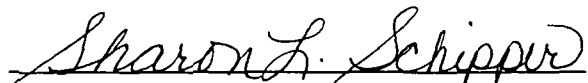
Philip M. Moilanen
BULLEN, MOILANEN, KLAASEN
& SWAN, P.C.
402 S. Brown Street
Jackson, Michigan 49203-1426

Eugene E. Smary
WARNER, NORCROSS & JUDD
900 Old Kent Building
Grand Rapids, Michigan 49503

Dated: April 3, 1998


Theresa A. Symon

Subscribed and sworn to before
me this 3rd day of April, 1998


Sharon L. Schipper
Notary Public, Ottawa County Acting in Kent
My Commission Expires: 9/23/98

RECEIVED

APR 06 1998

U.S. EPA, Region 9
Office of Regional Counsel